

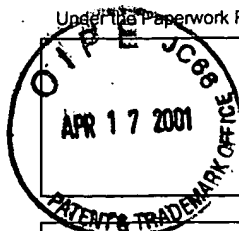
Please type a plus sign (+) inside this box → ☐

PTO/SB/29 (1/98)

Approved for use through 09/30/00, OBM 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to collection of information unless it displays a valid OMB control number.



CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional I application under 37 CFR 1.53(d))

CHECK BOX, if applicable
☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.

211A 2828 PCT-CPA

First Named Inventor

MINORU TAKEBE

Express Mail Label No.

EL719793385US

Total Pages

2

This is a request for a (continued prosecution application (CPA)) of prior application number 09/284,935 filed on May 3, 1999, entitled BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an International application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

C.I.P. NOT PERMITTED: A continuation in part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of the CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.59(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of the CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 Statement: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a)

1. ☐ Enter the unentered amendment previously filed on ____ under 37 C.F.R. 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment to follow shortly.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

04/20/2001 CNSUYEN 00000064 09248935

01 FC:131
02 FC:104

710.00 OP
270.00 OP

09/284,935

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APR 24 2001
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APR 26 2001

#13
MB
04/13/01

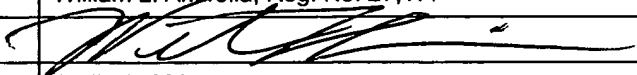
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CALCULATION OF FEES							
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE	\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	12	-20	0	LG=\$18 SM=\$9	\$18	\$ 0
B	INDEPENDENT CLAIMS FEE**	3	-3	0	LG=\$80 SM=\$40	\$80	\$ 0
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)						\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE				LARGE ENTITY FEE = \$270 SMALL ENTITY FEE = \$135		\$ 270
E	BASIC FEE				LARGE ENTITY FEE = \$710 SMALL ENTITY FEE = \$355		\$ 710
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)						\$ 980
**LIST INDEPENDENT CLAIMS 1, 2, 5							

6. Small entity status:
- ☐ A small entity statement is enclosed.
 - ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 - ☐ Is no longer claimed.
7. The commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 11-1445 :
- ☒ Fees required under 37 CFR 1.16.
 - ☒ Fees required under 37 CFR 1.17.
 - ☒ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$ 980 is enclosed.
9. ☒ Other: Declaration and Power of Attorney; Letter dated August 10, 1999 requesting correction of 35 USC 102(e) date to May 3, 1999; Letter dated May 27, 1999; and Letter dated May 3, 1999

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		(INSERT CUSTOMER NO. OR ATTACH BAR CODE LABEL HERE)		or <input checked="" type="checkbox"/> New correspondence address below	
NAME	William L. Androlia KODA & ANDROLIA				
ADDRESS	2029 Century Park East, Suite 3850				
CITY	Los Angeles	STATE	CA	ZIP CODE	90067
COUNTRY	USA	TELEPHONE	310-277-1391	FAX	310-277-4118

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME	William L. Androlia, Reg. No. 27,177
SIGNATURE	
DATE	April 18, 2001

COPY

211A 2828 PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

Group Art Unit: 1761

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APR 26 2001

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, upon review of the Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495, a copy of which is enclosed, it was found that it contained errors. Instead of "35 U.S.C. 102(e) Date: 01 June 99," and "Date of Receipt of 35 U.S.C. 371 Requirements: 01 June 99," the correct dates should be --35 U.S.C. 102(e) DATE: 03 May 1999-- and --DATE OF RECEIPT OF 35 U.S.C. 371 REQUIREMENTS: 03 May 1999--. Also enclosed for your reference are copies of a letter, a check for \$130.00, and a returned postcard dated May 3, 1999, and a letter and returned postcard stamped by the Patent Office dated May 27, 1999.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495 which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

By:
William L. Androlia

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391

Certificate of Mailing
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99.

Reg. No. 27,177

WILLIAM L. ANDROLIA (date of deposit)
Typed or printed name of person signing this certificate

Signature

Dated 8-10-99



211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: May 3, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

Attention: Application
Processing Division's
Customer Correction Branch

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LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

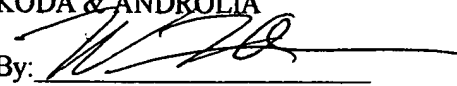
Dear Sir:

In connection with the above-identified application, upon review of the Filing Receipt, a copy of which is enclosed, it was found that it contained errors. Instead of "Filing Date: 06/01/99," the correct Filing Date should be --FILING DATE: 05/03/99-- as indicated in the enclosed copy of a letter dated August 10, 1999; instead of "Fil Fee Rec'd: \$1,100.00," the correct amount of the Filing Fee Received should be --FIL FEE REC'D: \$1,230.00-- which includes the filing fee as filed on May 3, 1999 for \$1,100.00 and the late filing fee of \$130.00 filed on May 27, 1999; and instead of "Growth Promoting Material for useful Microorganisms and Process for Producing the Same," the correct Title of Invention should be --BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME--. Also enclosed for your reference are copies of a letter dated May 27, 1999, a returned postcard stamped by the Patent Office, a letter and a returned postcard stamped by the Patent Office dated May 3, 1999, and a PCT Application Transmittal Form.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Filing Receipt which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

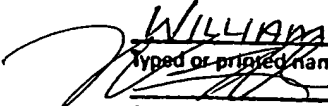
By: 
William L. Androlia
Reg. No. 27,177

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99.

WILLIAM L. ANDROLIA (date of deposit)
Typed or printed name of person signing this certificate

 Signature
Dated 8-10-99

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/284,935	06/01/99	1761	\$1,100.00	211A-2828-PC	2	12	3

05/03/99

\$1,230.00

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JUN 14 1999

KODÅ & ANDROLIA
10100 SANTA MONICA BOULEVARD
SUITE 2340
LOS ANGELES CA 90067

KODÅ & ANDROLIA

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

MINORU TAKEBE, TOKYO, JAPAN; MASAKAZU MORIMOTO, TOKYO, JAPAN.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/JP98/03719 08/21/98

FOREIGN APPLICATIONS- JAPAN 225296/1997 08/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 06/11/99

TITLE

GROWTH PROMOTING MATERIAL FOR USEFUL MICROORGANISMS
AND PROCESS FOR PRODUCING THE SAME

PRELIMINARY CLASS: 426

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A
PROCESS FOR PREPARING THE SAME

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DATA ENTRY BY: NGUYEN, SON

TEAM: 11 DATE: 06/11/99



211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Certificate of Mailing
I hereby certify that this correspondence is being
deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope
addressed to: Commissioner for Patents and Trademarks,
Washington, D.C. 20231 on 5-27-99
(date of deposit)
WILLIAM L. ANDROLIA
Typed or printed name of person signing this certificate
[Signature] Signature 5-27-99 Dated

In response to the Notification of Missing Requirements Under 35 USC 371 dated

May 24, 1999, Applicant respectfully submits that a communication was already sent to the
Patent Office on May 3, 1999 via United States Express Mail which included the Declaration &
Power of Attorney and the \$130.00 surcharge for the late filing thereof. A copy of the entire
communication, which also included an Assignment, Recordation Cover Sheet and Mailing
Certificate, is enclosed herewith along with a copy of the returned postcard indicating receipt at
the Patent Office.

Applicant therefore respectfully submits that no further documents or fees are
required from Applicant at this time. If, however, further fees are required, please charge those
fees to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
(310) 277-1391
(310) 277-4118 -fax
WLA/kaq

By: [Signature]
William L. Androlia
Reg. No. 27,177

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APR 17 2001

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/284,935	TAKEBE	M 211A 2828 PC
INTERNATIONAL APPLICATION NO.		
PCT/JP98/03719		
I.A. FILING DATE	PRIORITY DATE	
08/21/98	08/21/97	

KODA & ANDROLIA
10100 SANTA MONICA BOULEVARD
SUITE 2340
LOS ANGELES CA 90067

RECEIVED
MAY 27 1999

KODA & ANDROLIA

DATE MAILED: 05/24/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☒ a Designated Office (37 CFR 1.494),
 - ☐ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☐ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
 - ☒ Translation of the international application into English.
 - ☐ Oath or Declaration of inventor(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☒ Preliminary amendment(s) filed 21 April 1999 and _____
 - ☐ Information Disclosure Statement(s) filed _____ and _____
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____
 - ☐ Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
 - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response:

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

S. Ahmed.
Telephone: (703) 305-3659

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01 JUN 1999

211A 2828 PCT NAKAO & ITO

Serial No. 09/284,935

Inventors: MINROU TAKEBE et al.

For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

LETTER WITH MAILING CERTIFICATE, NOTIFICATION
OF MISSING REQUIREMENTS UNDER 35 USC 371, COPY
OF ENTIRE COMMUNICATION TO THE PATENT OFFICE
DATED 05/03/1999, INCLUDING RETURNED POSTCARD.

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Sent to PO: May 27, 1999

JUN 04 1999

KODA & ANDROLIA

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211A 2828 PCT NAKAO & ITO
Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO
Serial No. 09/284,935
For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING
MATERIAL AND A PROCESS FOR PREPARING THE SAME

LETTER, MAILING CERTIFICATE, DECLARATION & PWR OF
ATTORNEY, ASSIGNMENT, RECORDATION FORM COVER SHEET,
AND CHECKS FOR \$130.00 AND \$40.00.

RECEIVED
MAY 11 1999

Sent to PO: May 3, 1999

KODA & ANDROLIA

418 Rec'd PCT/PTO 03 MAY 1999

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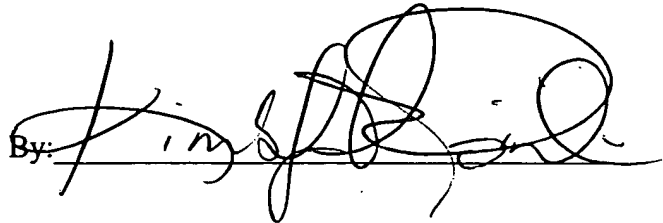
I hereby certify that this correspondence is being deposited with the United States Postal

Service as Express Mail No. EL375784614US addressed to:

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

on May 3, 1999 by Kimberly A. Quinlan

Dated: May 3, 1999

By: 

211A 2828 PCT NAKAO & ITO

Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO

Internat'l App. No. PCT/JP98/03719

For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING
MATERIAL AND A PROCESS FOR PREPARING THE SAME

EXPRESS MAIL NO.
EL375784614US

211A 2828-PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
MINORU TAKEBE et al.
International Application No. PCT/JP98/03719
Serial No. 09/284,935
Filed: April 21, 1999
For: BENEFICIAL MICROORGANISM PROPAGATION-
PROMOTING MATERIAL AND A PROCESS FOR
PREPARING THE SAME

ATTN: BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

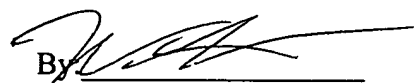
In regards to the above-identified application which was entered into the U.S. National Stage without the Declaration of the inventors, a notification pursuant to 37 CFR 1.494(c) has not yet been issued or sent to the undersigned. However, pursuant to the instructions given to the undersigned by the PCT Help Desk, enclosed herewith please find an executed Declaration & Power of Attorney form and a check in the sum of \$130.00 as the late filing fee so that the requirements for this application can be met. Still further, enclosed herewith please find an Assignment, Recordation Form Cover Sheet and a check in the sum of \$40.00 as the recordation fee.

If any further fees are required by the acceptance of the enclosed forms, please charge those fees of KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard
Suite 2340
Los Angeles, CA 90067
Tel: (310) 277-1391
Fax: (310) 277-4118

By 
William L. Androlia
Reg. No. 27,177

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RECORDATION FORM COVER SHEET PATENTS ONLY

Tab settings □ □ □ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)
MINORU TAKEBE and MASAKAZU MORIMOTO

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: April 22, 1999

2. Name and address of receiving party(ies)

Name: NICHIMO CO., LTD.

Internal Address: _____

Street Address: 6-2, Otemachi 2-chome,
Chiyoda-ku, Tokyo 100-0004, Japan

City: _____ State: _____ ZIP: _____

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is _____

A. Patent Application No.(s)

09/284,935

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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TC 1700 MAIL ROOM

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: KODA & ANDROLIA

Internal Address: _____

Street Address: 10100 Santa Monica Blvd.,
Suite 2340City: Los Angeles State: CA ZIP: 900676. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

11-1445

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

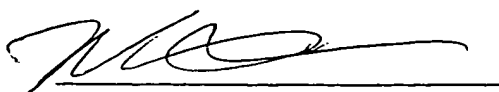
9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William L. Androlia

Reg. No. 27,177

Name of Person Signing



Signature

05/03/1999

Date

Total number of pages including cover sheet, attachments, and document: 2

Assignment

211A 2828 PCT

(1) MINORU TAKEBE
 (2) MASAKAZU MORIMOTO
 (3) _____ and
 (4) _____

(1-4) Insert Name(s) of Inventor(s)

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign and hereby does assign, transfer and set over to

(5) Insert name of Assignee (5) NICHIMO CO., LTD.

(6) Insert address of Assignee (6) of 6-2, Otemachi 2-chome

Chiyoda-ku, Tokyo 100-0004, Japan

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention known as

(7) Insert Title of Invention (7) BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING

MATERIAL AND A PROCESS FOR PREPARING THE SAME

for which the undersigned has (have) executed an application for patent in the United States of America

(8) Insert Date of Signing of Application (8) on April 22, 1999

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

6) The undersigned hereby grant(s) WILLIAM L. ANDROLIA, Reg. No. 27,177 and H. HENRY KODA, Reg. No. 27,729, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

Date 04/22/1999 Signature of Inventor  (SEAL)

Date 04/22/1999 Signature of Inventor  (SEAL)

Date _____ Signature of Inventor _____ (SEAL)

Date _____ Signature of Inventor _____ (SEAL)

This assignment should preferably be signed before: (a) a Notary Public if within the U.S.A. (b) a U.S. Consul if outside the U.S.A. If neither, then it should be signed before at least two witnesses who also sign here:

Date _____ Witness _____

Date _____ Witness _____

DECLARATION AND POWER OF ATTORNEY

PATENT (U.S.A.)
KODA & ANDROLIA
ATTORNEY'S DOCKET NO.
211A 2828 PCT

APR 17 2001

As a below named inventor, I declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BENEFICIAL MICROORGANISM**

PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE the specification of which is attached hereto unless the following box is checked: **SAME**

☒ was filed on 04/21/1999 as United States Application Number or PCT International Application Number 09/284,935 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or Inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the appropriate line, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)						
COUNTRY	APPLICATION NUMBER	DATE OF FILING			PRIORITY CLAIMED	
		Month	Day	Year		
Japan	225296/1997	08	21	1997	YES <u>X</u>	NO <u> </u>
					YES <u> </u>	NO <u> </u>
					YES <u> </u>	NO <u> </u>
					YES <u> </u>	NO <u> </u>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

APPLICATION NUMBER	FILING DATE	STATUS - PATENTED, PENDING, ABANDONED
PCT/JP98/03719	08/21/1998	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

WILLIAM L. ANDROLIA, REG. NO. 27,177; H. HENRY KODA, Reg. No. 27,729; ALEX CHARTOVE, Reg. No. 31,942.

SEND ALL CORRESPONDENCE TO: KODA & ANDROLIA 10100 SANTA MONICA BLVD., SUITE 2340 LOS ANGELES, CALIFORNIA 90067	DIRECT TELEPHONE CALLS TO: KODA & ANDROLIA (310) 277-1391
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201	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
		MINORU	TAKEBE		TOKYO	JAPAN
202	Post Office Address	6-2, Otemachi 2-chome, Chiyoda-ku, Tokyo 100-0004, Japan				CITIZENSHIP
						Japan
203	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
		MASAKAZU	MORIMOTO		TOKYO	JAPAN
204	Post Office Address	6-2, Otemachi 2-chome, Chiyoda-ku, Tokyo 100-0004, Japan				CITIZENSHIP
						Japan
205	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
206	Post Office Address					CITIZENSHIP

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202
DATE April 22, 1999	DATE April 22, 1999
SIGNATURE OF INVENTOR 203	SIGNATURE OF INVENTOR 204
DATE	DATE

☐ Additional inventors are named on separate Declarations attached hereto.